

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

FREDERICK BANKS,

Plaintiff,

v.

Civil Action No. 16-cv-10973-IT

**SPECIAL AGENT SEAN LANGFORD, et
al.,**

Defendants.

ORDER

September 30, 2016

TALWANI, D.J.

In an order dated August 10, 2016 [#4], the Court held that plaintiff Frederick Banks (“Banks”) could not proceed *in forma pauperis* in light of the “three strikes” provision of the Prison Litigation Reform Act. *See* 28 U.S.C. § 1915(g). The Court directed Banks to pay the \$400 filing fee and warned him that failure to do so within 35 days would result in dismissal of the action.

The time for complying with the Court’s order has expired and Banks has not paid the filing fee or otherwise communicated with the Court.

Accordingly, this action is **DISMISSED WITHOUT PREJUDICE** for failure to pay the filing fee.

SO ORDERED.

/s/ Indira Talwani
Indira Talwani
United States District Judge